

OGC Has Reviewed

S.1779 and The American Council

(Comparisons and Comments)

1. The Yarborough bill in many ways is similar to the "American Council" bill prepared by CIA. S.1779, however, explicitly prohibits intelligence gathering, whereas the American Council bill only prohibited past and present government employees from receiving assistance, and did not allow a former government employee to serve on the Council until two years after expiration of his government service.

2. The American Council bill also is more broadly drawn to allow grants to a greater range of organizations. It also stresses matching grants and self-help and seeks to stimulate greater cooperation from the private U.S. sector. The American Council bill also would appropriate \$75 million annually compared with S.1779's \$100 million aggregate by 1972.

3. Joseph Beirne's suggested amendments to S.1779 apparently are designed to broaden the bill, thus S.1779 would become more similar to the American Council bill with the amendments added.

4. Section 7 of S.1779, which explicitly forbids intelligence gathering, is a major difference between the two bills. But that difference is perhaps more apparent than real. It should be recalled that the American Council bill, as drafted by CIA, did not envisage CIA involvement with the Council even though the bill did not explicitly forbid such involvement.

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Features of S.1779

(Sponsors: Yarborough, Brewster, Bruening,
Mondale, Morse, Nelson, Proxmire)

1. The bill would establish as an independent agency of the Government an "International, Health, Education, and Labor Foundation" to provide support for private, non-governmental activities in the fields of health, education, and labor and other welfare fields.

2. The Foundation would have a Director and a Council, the Director appointed by the President by and with the advice and consent of the Senate. His term would be five years. The Council would have 11 members, appointed by the President with the advice and consent of the Senate for six-year staggered terms. No officers may be U.S. Government employees.

3. The Council will meet at least every six months and annually submit a report to the President and Congress summarizing its activities.

4. The Director is authorized to make grants to private, nonprofit agencies, associations and organizations organized in the United States, and to individuals or groups of individuals who are citizens of the United States not employed by the U.S. Government (or state or local governments) for the purpose of enabling them to assist, provide, or participate in international activities, conferences, meetings, and seminars in the fields of health, education and labor and other welfare fields.

5. No portion of any funds granted shall be paid by the Director or by any recipient of a grant to support any intelligence-gathering activity on behalf of the United States. Grants will be made by the Director on condition that the recipient will conduct openly all activities supported by such grants and make such reports as the Director may require solely to determine that the funds so granted are applied to the purpose for which application is made. In making grants, the Director shall not impose any requirements or conditions which impair the freedom of thought and expression of any recipients or other beneficiaries of such grants.

6. The Director's annual report shall list grants made during the preceding year. The report shall be made public.

7. No department, agency, officer, or employee of the United States shall request or require any recipient or any other beneficiary of any grant made under this Act to obtain, furnish, or report, or cause to be obtained, furnished, or reported, any information relating, directly or indirectly, to any activity supported by such grant, except as provided in paragraph five above or authorized under law in the case of any information directly relating to the violation of any criminal law of the United States by such recipient or beneficiary.

8. Determinations made by the Director and the Council shall not be subject to review by the President or by any other department, agency, officer or employee of the Government.

9. There would be appropriated to the Foundation such sums as may be necessary to carry out the purposes of this Act, except that the aggregate of such sums appropriated prior to June 30, 1972, shall not exceed \$100 million. Sums appropriated under the act shall remain available until expended.

Ralph T. Esterquest, Director
International Relations Office
American Library Association
for the
Special Subcommittee on International
Health, Education, and Labor Programs
of the
Senate Labor and Public Welfare Committee
on S. 1779
April 25, 1968

My name is Ralph Esterquest, Director of the International Relations Office of the American Library Association, on leave from my regular position as Librarian of the Francis A. Countway Library of Medicine, Boston. In my work with the ALA, I travel abroad extensively to observe library conditions in the interest of library education and development.

This statement is presented on behalf of the American Library Association, a nonprofit, educational association of more than 39,000 members. The Association is of the opinion that S. 1779, a bill to establish an international health, education, and labor program to provide open support for private, nongovernmental activities in the fields of health, education, and labor, and other welfare fields, would make possible certain desirable changes in the operation and funding of American libraries overseas.

It has been the position of the American Library Association for many years that the United States Government should maintain American libraries abroad in order that our friends in other lands should have an understanding of the American way of life. The Association has watched with interest the development of our overseas libraries, and many of its members have served on their staffs. We are aware, therefore, of the beneficial activities of these important libraries in making known the aims and accomplishments of the United States. Yet we are alert to the need for making improvements in this system of libraries.

The Association continues its policy of encouraging the Federal government to provide adequate funds to establish and maintain abroad, information libraries

administered by professionally trained and experienced American librarians, in order to assure competent and reliable sources of information about the United States. The American Library Association believes, however, that the acceptance and credibility of such libraries would be enhanced if they were separate from official U.S. government programs in the host countries. Accordingly, the Association favors the concept of a public-private mechanism that would operate or assure the funding of such libraries as models of an important institution in the United States.

Such approval was expressed in the following resolution adopted by the Council of the American Library Association, assembled in San Francisco, on June 30, 1967:

The Council of the American Library Association, assembled in San Francisco, California, on June 30, 1967, expresses its support of the U.S. National Policy Statement on International Book and Library Activities, but continues to be concerned about the need for improvement in the government's program of libraries overseas. It is therefore

RESOLVED that the Secretary of State be requested to have undertaken an impartial study of the purpose, role, operation, staffing, book collections, services and administration of the government's libraries overseas, now the responsibility of the U.S. Information Agency, and suggests that particular attention be given to the relationship of these libraries to the public-private mechanism which the Secretary of State's special committee is now considering,

that it request the Executive Director to convey this action to the Secretary of State and to appropriate Members of Congress, and

that the Executive Director express the continued willingness of the Association to assist in whatever review of the program of U.S. libraries abroad might be undertaken and in the development of more effective means of using U.S. libraries abroad to reflect the full range of American life, ideas, and ideals.

To the extent that the provisions and legislative intent of S. 1779 are consistent with the objectives of the policy statement quoted above, the American Library Association supports this bill and urges favorable consideration by the Subcommittee.

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| 2 | Mr. Maury | | [Signature] |
| 3 | Mr. Ugarne | | [Signature] |
| 4 | S.1779 file | | |
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